



**STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION**  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

RODNEY K. HARAGA  
DIRECTOR

Deputy Director  
BARRY FUKUNAGA  
BRENNON T. MORIOKA  
BRIAN H. SEKIGUCHI

IN REPLY REFER TO:

Board of Land and  
Natural Resources  
State of Hawaii  
Honolulu, Hawaii

RESCISSION OF LAND BOARD ACTION OF MARCH 24, 2006, ITEM M-4  
ISSUANCE OF AN INCONSISTENT REVOCABLE PERMIT  
A TOM MOFFATT PRODUCTION, INC.  
PIER 19 FERRY TERMINAL BUILDING, HONOLULU HARBOR

OAHU

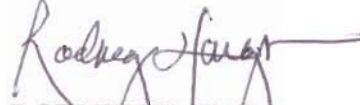
At its meeting held on March 24, 2006, under Item M-4, the Board of Land and Natural Resources authorized the Department of Transportation to issue an inconsistent revocable permit to A Tom Moffatt Production, Inc. to use portions of the state-owned Ferry Terminal Building and adjacent, non-exclusive vehicle parking areas in the vicinity of Pier 19 at Honolulu Harbor for a public exhibition of salvaged and recovered artifacts from the sunken passenger cruise ship, H.M.S. Titanic, from May 1, 2006 through August 31, 2006, subject to various terms and conditions, including a monthly rental of \$24,060.00.

On March 24, 2006, the Department of Transportation, Harbors Division, was informed by way of a letter dated March 17, 2006 from Mr. Tom Moffatt, President of A Tom Moffatt Production, Inc., that the H.M.S. Titanic exhibitors had "decided to head to another area of the country during the timeframe we initially discussed for Hawaii."

RECOMMENDATION:

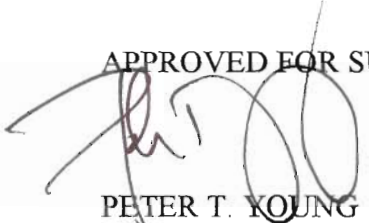
1. That the Board rescinds its action of March 24, 2006, under Item M-4.

Respectfully submitted,



RODNEY K. HARAGA  
Director of Transportation

APPROVED FOR SUBMITTAL:



PETER T. YOUNG  
Chairperson and Member



STATE OF HAWAII  
DEPARTMENT OF TRANSPORTATION  
869 PUNCHBOWL STREET  
HONOLULU, HAWAII 96813-5097

March 24, 2006

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Board of Land and  
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ISSUANCE OF AN INCONSISTENT REVOCABLE PERMIT  
A TOM MOFFATT PRODUCTION, INC.  
PIER 19 FERRY TERMINAL BUILDING, HONOLULU HARBOR

OAHU

APPLICANT:

A TOM MOFFATT PRODUCTION, INC.  
The Penthouse  
1232 Waimanu Street  
Honolulu, Hawaii 96814

LEGAL REFERENCE:

Section 171-55, Hawaii Revised Statutes

LOCATION AND TAX MAP KEY:

Portions of State-owned, Ferry Terminal Building and adjacent, non-exclusive vehicle parking areas in vicinity of Pier 19 at Honolulu Harbor, Honolulu, Island of Oahu, identified by Tax Map Plat: 1<sup>st</sup> Division, Portion of 1-5-39, and shown and delineated on the attached map labeled Exhibit A

AREA:

Approximately 16,300 square feet of covered floor space

Approved by the Board  
at its meeting on  
March 24, 2006

*lsa*

**EXHIBIT A**

ZONING:

State Land Use District:	Urban District
City & County of Honolulu:	Maritime Industrial (I-3)

LAND TITLE STATUS:

Non-ceded land  
DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: YES ☐ NO ☒

CURRENT USE STATUS:

Land presently encumbered by Governor's Executive Order No. 2903, setting aside portions of fast lands in vicinity of Honolulu Harbor under the control and management of the Department of Transportation, Harbors Division, State of Hawaii.

CHARACTER OF USE:

To exhibit salvaged and recovered artifacts from the sunken passenger cruise ship, H.M.S. Titanic, to the general public from May 1, 2006 to and including August 31, 2006.

COMMENCEMENT DATE:

May 1, 2006

MONTHLY RENTAL:

\$24,060.00

SECURITY DEPOSIT:

\$24,060.00 (one months' rent)

CHAPTER 343, HRS - ENVIRONMENTAL ASSESSMENT:

Pursuant to Section 11-200-8(a), Environmental Impact Statement Rules of the Department of Health, State of Hawaii, this disposition is exempt from requirements regarding preparation of an environmental assessment, negative declaration, or environmental impact statement as required by Chapter 343, Hawaii Revised Statutes, as amended, relating to Environmental Impact Statements, because the proposed action falls

within Exemption Class #1, Comprehensive Exemption List for the State of Hawaii, Department of Transportation dated November 14, 1990, as approved by the Environmental Quality Council. Exemption Class #1 covers operations, repairs, or maintenance of existing structures, facilities, equipment, or topographical features involving negligible or no expansion or change of use beyond that previously existing.

DCCA VERIFICATION OF APPLICANT:

Place of business registration confirmed:	Yes	✓
Registered business name confirmed:	Yes	✓
Good standing confirmed:	Yes	✓

REMARKS:

No passenger cruise ship is scheduled to dock and disembark and/or embark passengers at Pier 19 during the approximately four (4)-month period that the H.M.S. Titanic exhibit will be open for public viewing by the general public.

RECOMMENDATION:

That the Board authorizes the Department of Transportation to issue an inconsistent revocable permit to A Tom Moffat Production, Inc. (hereinafter referred to as the "PERMITTEE"), subject to the terms and conditions as herein outlined, which are by reference incorporated herein and the following additional terms and conditions:

1. PERMITTEE shall have the non-exclusive right to allow the general public to park their vehicles in or on adjacent open and marked parking stalls and in the Pier 19 shed, subject to availability.
2. PERMITTEE shall adhere to and comply with all aspects and requirements of the Honolulu Harbor security plan. Harbors Division security personnel will provide further details on procedures and requirements, as this will require the assumption of costs and expenses for security services provided to comply with the Honolulu Harbor security plan.
3. PERMITTEE shall limit activities to within the Ferry Terminal building and available vehicle parking areas that will be established as open to the public.
4. PERMITTEE shall have all employees, agents, contractors and any person hired for the event complete MSA/MARSEC (maritime security) training and obtain proper

photographic identification badges prior to working at, in or on the Premises demised under the revocable permit.

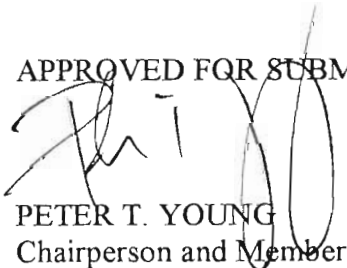
5. PERMITTEE shall allow the: (a) Harbors Division's security contractor, and its officers and employees unrestricted access to the CCTV room located in the Pier 19 Ferry Terminal building; and (b) existing and future tenants access (ingress and egress) to their rented office space(s).
6. PERMITTEE shall pay of all utility costs (water and electricity charges) provided to and associated with its use of the Premises, including the Pier 19 Ferry Terminal building, demised under the revocable permit.
7. PERMITTEE shall be responsible for providing all custodial cleaning of the building, exterior lobby and parking areas to include: (a) twice per week trash removal and disposal services; and (b) daily cleaning and other custodial services of the Pier 19 ferry terminal building, including all restrooms, and the designated visitor vehicle parking area(s) demised under the revocable permit.
8. Such other terms and conditions as may be prescribed by the Director of Transportation to best serve the interests of the State.

Respectfully submitted,



RODNEY K. HARAGA  
Director of Transportation

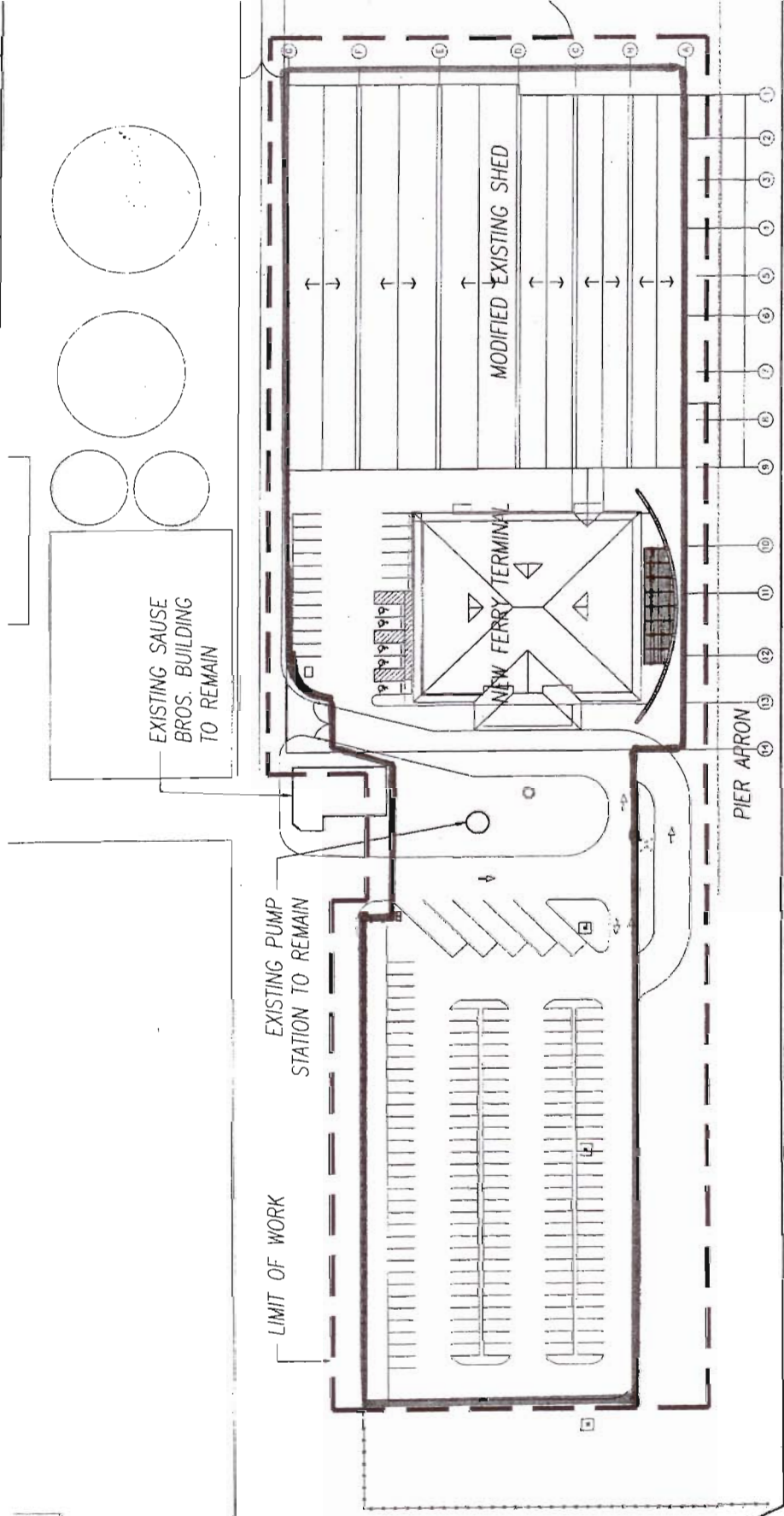
APPROVED FOR SUBMITTAL:



PETER T. YOUNG  
Chairperson and Member



FED. ROAD DIST. NO.	STATE	FED. AID PROJ. NO.	FISCAL YEAR
HAWAII	HAW.	FB-0300(73)	2000



OVERALL PLAN  
SCALE: NTS

EXHIBIT "A"

PROJECT DATA			
PIER 19, HONOLULU HARBOR, HONOLULU, HAWAII	FLOOD ZONE:	FIRM ZONE X	NOT IN SPECIAL DISTRICT
	SPECIAL DISTRICT:		